

Plain Dealing

SHERYL HARRIS



Damage by utilities can take time to fix

Q. Columbia Gas had to dig up part of my driveway apron to fix a gas leak at a neighbor's house last winter. Columbia gave me a letter right away saying it would fix the damage, but now every time I call, I get the run-around. My driveway still has a 2- by-3-foot hole in it.

Richard Talpas, Parma

A. Your driveway is now fixed.

Columbia Gas spokesman Ray Frank said the gas company frequently needs to dig on neighboring property to make gas line repairs. In some cases, it's not the repair work itself that causes damage. Heavy equipment like backhoes can crack sidewalks and drives just by rolling over them.

Columbia typically logs 500 to 700 repair orders a month year-round, which sounds like a staggering number until you remember that the utility operates in 61 of Ohio's 88 counties. The utility is fairly speedy about getting homeowners letters that acknowledge the utility's responsibility for the damage. But considerable time can elapse before the company makes the repairs, thanks mainly to Ohio's ornery weather, Frank said.

The company doesn't pour concrete when it's cold, because the repairs don't hold, Frank said. So all those repair tickets pile up through the winter.

Ordinarily, contractors head out to make concrete and asphalt repairs in spring. Although it's hard to remember now, when we're slathering on sunscreen, we had a really wet spring, which delayed repairs even longer, Frank said.

Columbia has a computer system that tracks these damage-repair claims and their status. Frank apologized that you were led to believe your repair was imminent when it was not. Since the apology came with a speedy driveway repair, you were delighted to accept.

Consumer Wise

If a utility or one of its subcontractors damages your property, notify the utility right away if it doesn't immediately acknowledge the damage on its own.

The company should be able to tell you roughly when it can make the repair or when it will issue you a check to cover the damage. Don't be shy about following up.

If a utility balks at taking responsibility, get estimates from several reputable contractors so you know the extent of the damage and a realistic idea about the cost of repairs. Armed with that, find an ally.

Some utilities have employees who act as liaisons with local governments, so call your mayor's office to see if it can intercede for you or get you a number for the utility's regional rep.

If that doesn't work, file a complaint against the utility with the Public Utilities Commission of Ohio (puco.ohio.gov or 1-800-686-7826), the state regulator for gas, nonmunicipal electric and local telephone companies.

If the agency's informal mediation process doesn't work, you can ratchet up the pressure by filing a formal complaint with the PUCO.

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Filing a formal complaint opens an administrative law case in which you can represent yourself, sort of like small-claims court. The PUCO gives the utility another crack at resolving the issue before it decides whether to hear the case.

I share the following story in hopes it will help someone else.

When a certain gargantuan electric company pulverized our driveway with its heavy trucks and then reneged on its promises to repair the damage, my husband called the PUCO. The agency responded that it couldn't really help because the utility had blamed a subcontractor, who, the PUCO noted, fell outside its regulatory authority. (Never mind that the subcontractor was acting as agent of the regulated utility at the time.)

The same PUCO letter, however, mentioned that if we really wanted to go to all the bother, we could file a formal complaint with the PUCO.

My husband did just that.

It never even got to the point of a hearing. Within two weeks, a Cleveland Electric Illuminating Co. employee was at my door to hand-deliver a check.

So if an informal PUCO complaint doesn't work, consider making a formal one. (Call the agency to request a form.)

Make sure you have your supporting documents, like written repair estimates from contractors.

It may help to have evidence that the damage didn't exist before the utility crew showed up. Use photos or videos of your home, a recent report from your city's housing inspection department or even affidavits from neighbors.